

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

PHILLIP GARCIA,

Plaintiff,

vs.

No. CIV 08-95 BB/LFG

SANDOVAL COUNTY
DETENTION CENTER, et al.,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S
FINDINGS AND RECOMMENDED DISPOSITION
AND DISMISSING ACTION WITHOUT PREJUDICE**

THIS MATTER comes before the Court on the Magistrate Judge's Analysis and Recommended Disposition [Doc. 12], filed July 14, 2008. Plaintiff Phillip Garcia ("Garcia") did not file objections, and the deadline for filing objections has passed. The Court accepts the findings and the recommendation that Plaintiff's complaint be dismissed for failure to respond to Defendants' Motion to Dismiss, failure to respond to the Court's Order to Show Cause [Doc. 10], and failure to keep the Court informed of changes to Plaintiff's mailing address or other contact information.

While mailings to Garcia have been returned undeliverable, and the Court therefore assumes that Garcia is no longer resident at the Sandoval County Detention Center, that is the only address the Court has in its records for Plaintiff. The Court has taken all steps it is required to take to notify Garcia that his case is subject to dismissal. D.N.M.LR-Civ. 83.6 requires that

litigants apprise the Court of any change in address, and Garcia has failed to do this or to otherwise inquire about the status of this case. He has thus demonstrated a lack of interest in pursuing this litigation, and the case will be dismissed.

IT IS THEREFORE ORDERED that the analysis and recommended disposition of the United States Magistrate Judge are adopted by the Court.

IT IS FURTHER ORDERED that this action be, and it hereby is, dismissed without prejudice.



UNITED STATES DISTRICT JUDGE